

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

KARLA K. ALLSBERRY and LORI	)	
RUSSELL,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 4:19-CV-2366-SNLJ
	)	
JUDGE PATRICK S. FLYNN, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

Plaintiffs filed a notice of reprimand (“Notice”) against defendant Judge Flynn. [Doc. 106.] Defendants moved to strike the notice and attachments. [Doc. 107.] All the while, this case remains stayed pending resolution of state court litigation, *e.g.*, [Doc. 37, Doc. 79, Doc. 102.] Defendants ask the Court to strike plaintiff’s filing because, in their words, “[t]he Notice of Filing dealt with the issue of semi-annual status reports of cases that judges of the State of Missouri submit. Absolutely nothing about a reprimand for being late on submitting semi-annual status reports has anything to do with this case.” [Doc. 107 at ¶ 3.] Defendants also move for sanctions against plaintiff for, what they claim to be, filing a “frivolous and harassing” notice. *Id.* at ¶ 10.

Plaintiffs argue that the Notice is relevant because it contains comments made by defendant Judge Flynn about plaintiffs and the various lawsuits between the parties. *See* [Doc. 108.] As the Court did in a prior order, [Doc. 102], the Court will take judicial notice

of this filing and decline to strike the filing. Accordingly, the motion for sanctions will also be denied.

That being said, plaintiffs' filings do nothing to move this case forward because none of the parties have moved for the stay to be lifted. This is the third time plaintiffs have filed "notices" while the case is stayed, [Doc. 100, 103, 106] and this is the third time defendants have moved to strike those notices. [Doc. 101, 104, 107.] This is fruitless behavior all around. The parties should not file any additional "notices" unless it is to advise the Court that the case should no longer be stayed or to otherwise inform the Court of the progress of state court litigation that required this Court to issue the stay. *See* [Doc. 102] (compiling pending state court cases between the parties that justified abstention under the *Pullman* doctrine).

Accordingly,

**IT IS HEREBY ORDERED** that defendant's motion to strike [Doc. 107] is DENIED, there being no objection thereto of the case being stayed.

**IT IS FURTHER ORDERED** that the parties in this case refrain from filing "notices" that have no bearing on the stayed nature of this case.

So ordered this 19th day of July, 2023.

A handwritten signature in black ink, reading "Stephen N. Limbaugh, Jr.", is written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.  
SENIOR UNITED STATES DISTRICT JUDGE